

Kris Minard
Representing: Self

HB 211- Montana Responsible Vendor Act
House Business and Labor
Thursday January 22, 2009

Oppose HB 211 as written.

Chairman Wilson and Committee Members,


This bill appears to have good intentions; Responsible Alcohol Server Training is one of many good prevention tools for reducing underage drinking. However, the feel good part of this bill ends with the word voluntary and it self destructs with section 7's blanket immunity from license suspension or revocation when a violation is committed.

If I want to drive a car legally in Montana, it's mandatory for me to pass a test. Once I pass that test, I don't have any kind of immunity from license suspension or revocation if I break the law. If I fail to stop at a stop sign, I get a ticket. If I drive in excess of the speed limit, I get another one. If I get too many tickets, I lose my license and the privilege of driving. The fact that I passed the test has no bearing on whether or not I followed the law afterward. The same should be true for a license to serve or sell alcohol.

In addition, I couldn't help but notice the proposed new language in section 5 - (Requirements for Certification) fails to include any reference to training to prevent over-serving or serving some one actually, apparently or obviously intoxicated. Yet the immunity for such violation appears to exist if the vendor has been certified as a responsible vendor.

If you really want to make a positive difference to reduce underage alcohol sales and over-serving - make this training mandatory and remove all of the proposed immunities.

Thank you very much for your time,


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